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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/586,391	07/17/2006	Thomas Lassalle	9052-1001	2554	
466 YOUNG & TH	7590 06/10/200 OMPSON	9	EXAMINER		
209 Madison St		WILSON, LEE D			
Suite 500 ALEXANDRIA	A, VA 22314		ART UNIT	PAPER NUMBER	
			3727		
			MAIL DATE	DELIVERY MODE	
			06/10/2009	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
Office Action Commons	10/586,391	LASSALLE, THOMAS				
Office Action Summary	Examiner	Art Unit				
	LEE D. WILSON	3727				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence addre	!SS			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 6(a). In no event, however, may a reply be tim ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	\) . nely filed the mailing date of this comm D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on						
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3) Since this application is in condition for allowan						
closed in accordance with the practice under E.	x <i>parte Quayle</i> , 1935 C.D. 11, 45	i3 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) <u>17-36</u> is/are pending in the application	1					
4a) Of the above claim(s) is/are withdraw						
5)⊠ Claim(s) <u>17-22</u> is/are allowed.						
6)⊠ Claim(s) <u>23-36</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or	election requirement.					
	•					
Application Papers						
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the c		* *				
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11)☐ The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form PTO-	152.			
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list of 	s have been received. s have been received in Application ity documents have been received (PCT Rule 17.2(a)).	on No ed in this National Sta	зge			
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Hickman (1225955).

Hickman discloses the claimed invention as recited in claims 1-14. Hickman discloses a tooth brush having a brush head having two compartments (figs.1&3), flexible brushes (9) with curved brushes (fig.3), detachable head (7&8 having external walls), and a handle (1&A) which is pivotally mounted. The H-shaped and V-shape are generally shown.

The external wall is going to have a first and second position which do not overlay.

3. Claims 23-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Burki (3732589).

Burki discloses the claimed invention as recited in claims 1-14. Burki discloses a tooth brush having a brush head having two compartments (figs.2&3), a motor

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(41), flexible brushes (31-33) with curved brushes (fig.2), detachable head (35 with parts 31 and 32 being attached to gear 38 which causes them to pivot about an axis and having external walls), and a handle (37&41) which is pivotally mounted.

Allowable Subject Matter

1. Claims 17-22 are allowed.

Response to Arguments

- 1. Applicant's arguments filed 3/24/09 have been fully considered but they are not persuasive.
 - a. The claims 23-36 have been rejected in part due to the fact the stop is not defined in claim 23. Applicant can contact the examiner thru email lee.wilson@uspto.gov to set up an interview. The last interview was productive. At present the rejection stand.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MONICA CARTER can be reached on 571-272-4475. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

/LEE D WILSON/
Primary Examiner, Art Unit 3727

June 7, 2009